

### REMARKS

The Examiner is thanked for the Office Action of October 16<sup>th</sup>, 2008 and for the notice of abandonment on May 12<sup>th</sup>, 2009. In response to the Notice of Abandonment, Applicant herewith provides a Petition to Revive an Application Unintentionally Abandoned, along with all required fees, including the revival fees and a complete response to the outstanding office action.

This filing is intended to be fully responsive to all outstanding notices.

### Title Amendment

Under MPEP 606 words such as “improved” or “improvement” are not considered as part of the title of an invention, and should not be included and will be deleted when the Office enters the title into the Office’s computer records. The title has not previously been amended by the Office and therefore Applicant respectfully requests that the title be amended to read “~~IMPROVED~~ CRATE SYSTEM”. No new matter has been added.

### Claim Rejections—35 USC § 112

The Examiner rejected Claim 11 as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 11 is amended with this submission and the rejection should now be moot.

### Allowable Subject Matter

The Examiner is thanked for his recognition of allowable subject matter in claims 8, 9, 17 and 18. With this submission Applicant amends Claim 1 to incorporate the allowable matter of 8 and as such claim 1 should now be allowable. Claim 9 depends from now allowable Claim 1 and should also now be allowable. Claims 2-4 are canceled. Claims 5 and 7 are herewith amended and depend from now allowable claim 1 and should also now be allowable. Claim 6 is canceled, as is claim 8. Claim 10 now includes patentable matter from claim 17 and as such should now also be allowable. Claims 11-13 are canceled. Claim 14 depends from now

allowable claim 10 and should now be allowable. Claims 15, 17 and 20 are canceled. Claims 16, 18 and 19 depend from now allowable claim 10 and as such should also be allowable. Claims 21 and 22 are new and are fully supported in the specification. No new matter has been added.

#### Conclusion

It is respectfully submitted that Claims 1, 5, 7, 9, 10, 14, 16, 18, 19, 21 and 22 are now in condition for allowance and notice to that effect is respectfully requested. No new matter has been added.

Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

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